

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, ) Case No. 8:12CR344  
)  
Plaintiff, )  
)  
vs. )  
)  
RANDALL DAVID DUE, )  
) Omaha, Nebraska  
Defendant. ) August 7 and August 20, 2013

TRANSCRIPT OF PROCEEDINGS  
BEFORE THE HONORABLE THOMAS D. THALKEN  
UNITED STATES MAGISTRATE JUDGE

A-P-P-E-A-R-A-N-C-E-S

FOR THE PLAINTIFF: Mr. Matthew R. Hoffman  
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Proceedings recorded by electronic sound recording, transcript  
produced with computer.

1 (At 10:00 a.m. on August 7, 2013, with Mr. Matthew Hoffman  
2 appearing as counsel for the plaintiff, Mr. Jerry Hug appearing  
3 as counsel for the defendant and the defendant present, the  
4 following proceedings were had:)

5 THE COURT: ...in United States vs. Randall Due  
6 carrying the number of 8:12CR344.

7 Counsel enter their appearance for the record, please.

8 MR. HOFFMAN: Matthew Hoffman for the United States,  
9 Your Honor.

10 MR. HUG: Morning, Your Honor. Jerry Hug, counsel  
11 for Mr. Due.

12 THE COURT: All right. Mr. Due is present.

13 We're here on various matters. First, we'll deal with the  
14 motion to withdraw by Mr. Hug and I believe also the Notice of  
15 Termination of Appointed Counsel, filing number 138.

16 Mr. Hug.

17 MR. HUG: Your Honor, I don't have anything further  
18 to submit as far as evidence. And I think in light of  
19 Mr. Due's motion to have me removed, it's at least clear to me  
20 that he doesn't wish to be represented or at least represented  
21 by me at this point in the case.

22 THE COURT: All right.

23 MR. HUG: I -- I don't have any additional  
24 evidence --

25 THE COURT: All right.

1 MR. HUG: -- or anything to offer the Court.

2 THE COURT: Any evidence by the government?

3 MR. HOFFMAN: No, Your Honor.

4 THE COURT: All right. Mr. Due, what's -- you want  
5 to represent yourself in this matter; is that correct?

6 THE DEFENDANT: Would you speak up, please.

7 THE COURT: Do you need the assistance of a -- a  
8 hearing device?

9 THE DEFENDANT: If you could speak up a little bit so  
10 I could hear you.

11 THE COURT: All right. Do you -- are you going to  
12 represent yourself?

13 THE DEFENDANT: I'm acting in my own proper person,  
14 in my flesh and blood --

15 THE COURT: Well --

16 THE DEFENDANT: -- not pro se.

17 THE COURT: Well, you're either pro se or you're  
18 going to have counsel, one or the other.

19 THE DEFENDANT: Are you absolutely sure, Mr. Judge,  
20 you want to violate my civil rights, First Amendment, the  
21 freedom of religion of my conscience?

22 THE COURT: All right. Mr. --

23 THE DEFENDANT: Are you absolutely sure?

24 THE COURT: I'm positive, Mr. Due. The question is  
25 whether you're going to represent yourself or whether you're

1 going to --

2 THE DEFENDANT: I'm acting in the flesh and blood, in  
3 the proper person --

4 THE COURT: All right.

5 THE DEFENDANT: -- not pro se.

6 THE COURT: All right. The question is at this point  
7 that Mr. Hug will be -- I'll grant your motion to withdraw as  
8 counsel for the defendant but I'm going to appoint you as  
9 standby counsel so that if Mr. Due needs the assistance of  
10 counsel in making certain motions or various other proceedings  
11 that you're available.

12 You will take the same position as Mr. Stickman has done  
13 with Miss Kozak in the matter so that at this point your motion  
14 to withdraw, filing number 112, is granted but to the extent  
15 that you be reappointed as standby counsel.

16 Mr. Due, as previously cautioned in this matter, whether  
17 you -- however you wish to denominate yourself, if you -- my  
18 suggestion to you and urging upon you is that you use the  
19 assistance of counsel in this matter. It is somewhat clear  
20 that you're not necessarily familiar with the rules and  
21 procedures of the court and so I urge you to either -- seek  
22 counsel in this matter rather than representing yourself --

23 THE DEFENDANT: I told you I wasn't representing  
24 myself. I'm acting in the flesh and blood, in my own proper  
25 person.

1 THE COURT: That means to me you're representing  
2 yourself.

3 THE DEFENDANT: Not pro se.

4 THE COURT: Well, you are considered pro se. The  
5 clerk's record will reflect that you are acting pro se.

6 THE DEFENDANT: Then the court record will reflect  
7 that you're violating my First Amendment rights of freedom of  
8 religion out of my conscience and pursuant to Title 28, Section  
9 455, you're disqualified and I demand your recusal.

10 THE COURT: All right. That request is denied.

11 The -- Now we'll proceed as to the defendant's violation  
12 of his conditions of release. The Court has received a filing  
13 number 143, which is the Pretrial Services Violation Report.

14 THE DEFENDANT: So you're going to go on judicial  
15 record as committing judicial fraud by violating my civil  
16 rights. Is that correct?

17 THE COURT: I'm proceeding on the record according to  
18 the procedures and rules of this court.

19 Mr. Due, it is alleged that you violated the conditions of  
20 your pretrial release in this matter by failing to report to  
21 the probation and pretrial services offices as directed and  
22 refrain from filing documents or actions unless it's done  
23 through counsel.

24 And you're familiar with the allegations in that respect,  
25 are you not?

1 THE DEFENDANT: I do not understand.

2 THE COURT: All right. Which -- what's the filing  
3 number of the petition?

4 COURTROOM DEPUTY: (Inaudible.)

5 THE COURT: Filing 122 alleges that you violated the  
6 conditions of your pretrial release by submitting fax filings  
7 to the District Court of Sheridan County, Nebraska, and a  
8 written reprimand was requested and Mr. -- and you failed to  
9 acknowledge the -- sign the reprimand on May 17, 2013.

10 You were -- You refused to participate in your -- in the  
11 office visit with the supervising office on May 16th and on  
12 that same date, you filed an affidavit challenging the  
13 procedure in the Middle District of Georgia without the  
14 direction of counsel or the approval of your supervising  
15 officer.

16 If those allegations are found to be true, then of course  
17 your pretrial release can be revoked and then you can be  
18 detained pending full disposition of this case.

19 First of all, you'll be called upon to admit or deny the  
20 allegations. If you admit the allegations, then we'll proceed  
21 as to what's to be done about it. If you deny the allegations,  
22 then we'll proceed to a hearing on the matter.

23 Do you admit or deny the allegation?

24 THE DEFENDANT: I do not understand and pursuant to  
25 Title 28, 455, I have criminal charges brought against you and

1       you have direct conflict of interest. I demand your recusal  
2       from this case.

3               THE COURT: The defendant denies the allegations.  
4       We'll proceed --

5               THE DEFENDANT: Now are you making a declaration on  
6       my behalf?

7               THE COURT: Mr. --

8               THE DEFENDANT: Are you absolutely sure you want to  
9       commit a felony offense by violating my civil rights?

10              THE COURT: Mr. Due -- Mr. Due, even though you are  
11       representing yourself in this -- your own way, you will comport  
12       yourself with the proceedings in this court and, consequently,  
13       you will follow the rules and procedures of the court.

14              THE DEFENDANT: I demand that you produce findings of  
15       facts and conclusions of law to support yourself. And I had  
16       you process served, demand to show just cause and you failed to  
17       show just cause. You have -- you have provided me with  
18       probable cause that you are biased against me and pursuant to  
19       Title 28, Section 455, it automatically disqualifies yourself  
20       and I demand your recusal.

21              THE COURT: Is there any reason at this time, counsel  
22       for the government, that the defendant should not be committed  
23       to the custody of the Attorney General for a determine *[sic]* as  
24       to his competency in this matter?

25              MR. HOFFMAN: I -- it's not the position of the

1 United States that this is a competency issue.

2 THE COURT: All right. The defendant is competent to  
3 proceed to trial in this matter?

4 MR. HOFFMAN: That is the belief of the United  
5 States, Your Honor.

6 THE COURT: All right. Then you may proceed with the  
7 petition in this case. And if -- in that respect, as I've  
8 indicated, the Court takes judicial notice of filing number  
9 143, which is the Pretrial Services Violation Report that was  
10 prepared.

11 MR. HOFFMAN: Yes, Your Honor. And in addition to  
12 that, if I may approach, I have a --

13 THE COURT: You may.

14 MR. HOFFMAN: I have provided this to the defense,  
15 the three exhibits --

16 THE COURT: All right.

17 MR. HOFFMAN: -- that we intend to show the Court.

18 Also, in addition to Mr. Due's conditions that he not file  
19 any documents, which is from paragraph Z of his conditions of  
20 release of April 10th, condition Y also is that he not enter  
21 any courthouse without the approval of probation or Pretrial  
22 Services except for this courthouse in Nebraska. And we have a  
23 video and documents to show that he also violated condition Y  
24 by entering the courthouse in Georgia.

25 THE COURT: You may proceed.



1 MR. HOFFMAN: Your Honor, this is a video that was  
2 obtained off of the YouTube Internet web site and appearing on  
3 the screen at this time is the Mitchell County Superior Court  
4 Clerk, Adayna Broome.

5 THE DEFENDANT: I demand a trial by jury.

6 THE COURT: Your request is denied. This is not a  
7 jury trial matter at this point. It's solely to be determined  
8 by the Court.

9 You may proceed.

10 MR. HOFFMAN: Your Honor, this -- this clip will show  
11 Miss Broome warning Mr. Due that his actions could be in  
12 violation of the conditions of release and then shows Mr. Due's  
13 response to her statements.

14 (Video clip played.)

15 MR. HOFFMAN: Then, Your Honor, I'd also direct the  
16 Court's attention to a second...

17 (Video clip played.)

18 MR. HOFFMAN: At this time, Your Honor, I would ask  
19 (indiscernible) Government Exhibit 2 which I've also provided  
20 to -- a copy to the defense.

21 THE COURT: You may present.

22 MR. HOFFMAN: This document was obtained from the  
23 Pelham Police Department. As the Court can see, it is marked  
24 filed in the office, Mitchell County, Georgia, on June 11th,  
25 2013.

1 THE COURT: Any objections to 2, Mr. Due?

2 Any objections to government's 2?

3 THE DEFENDANT: Well, the objections I have is that  
4 you appear to ignore Title 28, Section 455. You're  
5 automatically disqualified. You're -- you're showing biased  
6 against me and that's an automatic disqualification. And I  
7 demand your recusal.

8 THE COURT: There being no objection to the document  
9 other than the defendant's rant, the -- the exhibit will be  
10 received.

11 MR. HOFFMAN: Your Honor, the government also would  
12 proffer that the Mitchell County Clerk -- Superior Court Clerk  
13 that appears in this video is located inside of the Mitchell  
14 County Courthouse. So you are -- it is -- there's no way to  
15 enter this office without also entering the courthouse.

16 THE COURT: So noted.

17 MR. HOFFMAN: And I have one final clip to play in  
18 which --

19 COURTROOM DEPUTY: Mr. Hoffman, when you speak, will  
20 you speak into a microphone, please.

21 MR. HOFFMAN: All right. The government has one  
22 additional clip to play. This is from a radio broadcast of  
23 May 2nd, 2013, that was broadcast on KSDZ, a radio station in  
24 Gordon, Nebraska.

25 THE DEFENDANT: I object to this as hearsay

1 information, what is being presented by him, because of the  
2 fact of your coercion of duress against me in that condition of  
3 release. That condition of release is null and void when  
4 coercion and duress is involved.

5 THE COURT: The objection -- hearsay objection is  
6 overruled since hearsay is admissible in these stage of the  
7 proceedings and so the objection's overruled and you may  
8 proceed.

9 MR. HOFFMAN: Yes, Your Honor. And we are directing  
10 the Court to this audio clip because in it the defendant refers  
11 to his conditions of release.

12 (Audio clip played.)

13 THE COURT: Do you have anything further?

14 MR. HOFFMAN: No, Your Honor.

15 THE COURT: All right. Do you have evidence you wish  
16 to present, Mr. Due?

17 THE DEFENDANT: Well, I've been denied due process of  
18 law and I have not had the availability of -- while I've been  
19 in jail not had the availability of due process of law to  
20 obtain discovery and information and for that matter my civil  
21 rights are being violated right now by this court system and  
22 you.

23 I demand time to prepare a defense, and I demand that you  
24 order the prosecuting attorneys and those bringing these  
25 allegations to answer all of my affidavits and demand to show

1 just cause, and I demand that you answer my demand to show just  
2 cause for your actions also which you have failed to.

3 I want that on judicial record.

4 THE COURT: Well, whatever is -- is being recorded in  
5 these proceedings are recorded.

6 My question again to you is do you wish to present any  
7 evidence with respect to the petition to revoke your conditions  
8 of release?

9 THE DEFENDANT: I don't understand what you're  
10 saying.

11 THE COURT: Do you have any evidence you wish to  
12 present today with regard to the petition to revoke your  
13 conditions of release?

14 THE DEFENDANT: Because I've been denied due process  
15 of law to this point, I have not had the opportunity to pull  
16 evidence together to provide the court.

17 THE COURT: Well --

18 THE DEFENDANT: And I demand time --

19 THE COURT: -- I can --

20 THE DEFENDANT: -- I demand time to prepare my  
21 defense in such matters --

22 THE COURT: I can --

23 THE DEFENDANT: -- that I may present evidence to the  
24 court in my defense.

25 THE COURT: I can give you time to do that and we can

1 continue the hearing till --

2 THE DEFENDANT: I haven't been allowed to go into the  
3 law library. I haven't been allowed to bring my legal  
4 documents with me. I got to have time to pull that information  
5 together.

6 THE COURT: I'll give you until -- I'll give you  
7 until Tuesday the 20th at 1:30 p.m. and I'll continue the  
8 hearing until then.

9 THE DEFENDANT: I need a written statement of what it  
10 is that -- I don't understand what -- what -- what all this  
11 proceeding here. I need a written statement from the one  
12 making the allegations of what it is and what I'm supposed  
13 to --

14 THE COURT: The defendant will be provided a copy of  
15 the -- if he has not already -- the Pretrial Services Violation  
16 Report, which is filing number 143, and also be provided a copy  
17 of the petition to revoke the conditions of release and the  
18 clerk will make sure that the defendant obtains those.

19 In the meantime, the matter will be continued until as I  
20 said 1:30 --

21 THE DEFENDANT: And I --

22 THE COURT: -- 1 --

23 THE DEFENDANT: -- demand that you present an order  
24 that I can carry with me my legal documents and stuff 'cause  
25 each time I've been transferred they take them away from me. I

1 want an order where I can have all my person- -- my legal  
2 documents, my supporting documents, et cetera, et cetera.

3 THE COURT: Well, I'll visit with the U.S. Marshal to  
4 see that they can provide the documents that you have.

5 The -- Further, I do note that while -- before these  
6 proceedings the defendant was represented by counsel and he had  
7 provided various notices, motions, whatever to the clerk's  
8 office which were -- under the local procedures were not  
9 allowed to be filed but were held.

10 The defendant now being considered pro se by the Court --

11 THE DEFENDANT: I am not pro se.

12 THE COURT: I'm considering you pro se.

13 THE DEFENDANT: Well, then you're violating my civil  
14 rights and I demand you show findings of facts and conclusions  
15 of law by affidavit sworn to be true, correct and complete  
16 under your own commercial liability.

17 Furthermore, I demand that you identify yourself properly  
18 and produce your -- a certified copy of your oath, your bonding  
19 information and/or public official liability insurance --

20 THE COURT: And --

21 THE DEFENDANT: -- and I demand that a copy of the  
22 replevin bond [sic] or -- and/or distress bond that's required  
23 to put an arrest on me be produced.

24 THE COURT: The documents that were directed be held  
25 by the clerk will now be filed and so they will be determined

1 as either motions and so forth and be --

2 THE DEFENDANT: They are not motions, Mr. Judge.

3 THE COURT: -- dealt with --

4 THE DEFENDANT: They are demands. A motion is only a  
5 parliamentary procedure, Mr. Judge.

6 THE COURT: The --

7 THE DEFENDANT: A demand brings commercial liability  
8 and you have commercial liability. This court has commercial  
9 liability. All public officers, officials and agents of the  
10 public trust of the United States have commercial liability and  
11 the burden of proof is upon the public officials, officers and  
12 agents.

13 THE COURT: The clerk will perform the duties as  
14 directed by this court as to filing of the matters. Even  
15 though they may be entitled Demand, they will be considered  
16 either demand or motion and the Court will deal with them at  
17 that time.

18 THE DEFENDANT: They shall be considered as demands  
19 or else you are violating my civil rights.

20 THE COURT: What's the difference between a demand  
21 and a motion, Mr. Due?

22 THE DEFENDANT: A motion is a parliamentary  
23 procedure, if you did not know.

24 THE COURT: Is it a motion --

25 THE DEFENDANT: It is not law. Provide me finding of

1 facts and conclusions of law proving otherwise, Mr. Judge.

2 THE COURT: Well, your definitions are not the same  
3 definitions --

4 THE DEFENDANT: Well, then provide me finding of  
5 facts and -- I demand you provide me findings of facts and  
6 conclusions of the law by affidavit sworn to be true, correct,  
7 materially complete and not misleading under your own  
8 commercial liability to prove beyond any reasonable shadow of  
9 doubt your claims, Mr. Judge.

10 THE COURT: The -- your request is denied.

11 The -- and, again, I would --

12 THE DEFENDANT: And your actions are a violation of  
13 my civil rights and give me reasonable belief to have probable  
14 cause that you are being biased against me which therefore  
15 pursuant to Title 28, Section 455 you're automatically  
16 disqualified by law and I demand your recusal for this case.

17 THE COURT: Your request is denied.

18 Anything further from the government today?

19 MR. HOFFMAN: No, Your Honor.

20 THE COURT: All right. We'll be in recess.

21 (Recess had at 10:26 a.m. on August 7, 2013.)

22 (At 1:29 p.m. on August 20, 2013, with Mr. Brian Bailey  
23 present as counsel for the plaintiff, Mr. Jerry Hug present as  
24 standby counsel and the defendant present, the following  
25 proceedings were had:)



1 THE COURT: ...carrying the number of 8:12CR344.

2 The parties enter their appearance for the record, please.

3 MR. BAILEY: Your Honor, for the United States, Brian  
4 Bailey.

5 MR. HUG: Good afternoon, Your Honor. Jerry Hug as  
6 standby counsel for Mr. Due.

7 THE COURT: And Mr. Due is present.

8 We're here to continue the hearing on the violation of  
9 pretrial release which was continued from our last session.

10 Mr. Due requested additional time so we continued that  
11 time.

12 So, Mr. Due.

13 THE DEFENDANT: First, for the official record, we  
14 got a demand of due process here. I, Randall Due, certify the  
15 following to be true, correct, complete to the best of my  
16 knowledge and belief. The Douglas County Jail is now providing  
17 me minimum medical needs at this time and finally allowing me  
18 to have phone and mail communication. When I was here the last  
19 time and went back there, I didn't have phone service, was  
20 denied due process of law.

21 So as to not deny me rights, due process of law pertaining  
22 to the said communication any more, if I was transferred to  
23 another facility after this hearing, it would deny me of due  
24 process of law because of breaking my communications for one to  
25 two weeks again; therefore, I demand to remain in Douglas

1 County Jail through the conclusion of this hearing subject  
2 matter unless I'm released from custody.

3 THE COURT: All right. Mr. -- give that to Mr. Hug.  
4 Mr. Hug, would you deliver that to the clerk, please.

5 THE DEFENDANT: He's not my counsel and he's not my  
6 standby counsel. Get him out of here. I demand him to be  
7 removed. He was terminated.

8 THE COURT: Mr. --

9 THE DEFENDANT: Are you sure you want to violate my  
10 civil rights --

11 THE COURT: Mr. --

12 THE DEFENDANT: -- and deny me my liberty?

13 THE COURT: Mr. --

14 THE DEFENDANT: That's a violation of my civil rights  
15 and it's a felony offense pursuant to Title 18, Section 241.  
16 Is that what you want to -- you want to go on judicial record  
17 as committing --

18 THE COURT: Mr. Due, give me a chance to respond,  
19 please. Are you requesting that Mr. Hug be relieved as your  
20 standby counsel?

21 THE DEFENDANT: I terminated him. He is neither my  
22 standby nor my counsel. I terminated him for insufficient  
23 counsel. Why would I want somebody that's insufficient  
24 counsel?

25 THE COURT: Do you wish the Court to appoint standby

1 counsel for you?

2 THE DEFENDANT: No. But I do not waiver my right to  
3 assistance of counsel should I choose but he is not my counsel  
4 or standby counsel. Is that clear?

5 THE COURT: Are you requesting the appointment of  
6 counsel?

7 THE DEFENDANT: No.

8 THE COURT: All right. All right.

9 THE DEFENDANT: I want him out of my face.

10 THE COURT: Well, it's not necessarily that alone,  
11 Mr. Due, but I will grant your request and relieve Mr. Hug as  
12 your standby counsel.

13 And, Mr. Hug, you are relieved and you may withdraw from  
14 the case.

15 MR. HUG: Thank you, Your Honor.

16 THE COURT: All right. Hand that paper to the  
17 marshal then and the marshal will bring it to the clerk.

18 THE DEFENDANT: Okay.

19 THE COURT: All right. It will be filed with the  
20 clerk.

21 THE DEFENDANT: Now, next I have a demand to strike  
22 plaintiff's claim. I, Randall Due, certify that the following  
23 is true, correct and complete to the best of my knowledge and  
24 belief. I demand the court to strike plaintiff's claim per  
25 court Rule 12(b)(6), failure to state a claim upon which relief

1 may be granted, for the following reasons:

2 Number one. Plaintiff has failed to prove that accused  
3 actual, natural, all lower case name, private, unenfranchised  
4 man being detained is a all capital letter corporate fiction  
5 person subject per Rule 12(b)(2), no in personam primary  
6 jurisdiction.

7 And, number two, plaintiff has failed to prove that  
8 accused natural man is within the plaintiff's corporate bounds  
9 and, therefore, no venue jurisdiction can attach per Rule  
10 12(b)(3), no venue primary jurisdiction.

11 And, number three, per Rule 12(b)(1) plaintiff has failed  
12 to prove any valid contractual nexus because accused's  
13 authorized signature appears nowhere on any purported contract  
14 or agreement thus no valid subject matter primary jurisdiction.

15 Number four. Also per Rule 12(d) no presumptions allowed.

16 Number five. Per federal criminal rules of procedure  
17 12(b)(2)(A) a case stops at its first defect. Notice of first  
18 defect in Case No. 8:12CR344.

19 The lien debtors defaulted on their very gracious 90-day  
20 grace period in which they were given to contest any part of  
21 the oath/consensual public commercial lien process presented to  
22 them which is a citizen's First Amendment administrative right  
23 to petition the government for redress of grievances because of  
24 the official's rebellion or insurrection against this nation,  
25 its Constitution and the American people. That happens to be a

1 Title 18, criminal law Section 2383, rebellion and  
2 insurrection.

3 Number seven. Therefore, lien debtors waive their right  
4 to later -- after the 90-day grace period to now claim any part  
5 of the oath/consensual public commercial liens to be false,  
6 fictitious or fraudulent.

7 Number eight. To do so is a violation of the official's  
8 oath/consensual obligation of contract to We the People/The  
9 Public to support and defend this nation, its Constitution and  
10 the American people against all enemies, both foreign and  
11 domestic, and a violation of Article 1, Section 10, Clause 1 of  
12 the U.S. Constitution.

13 Number nine. Therefore, plaintiff lacks all three primary  
14 requisite elements of jurisdiction to proceed against the  
15 accused live, actual, private, unenfranchised natural man,  
16 Randall Due, and thus per court Rule 12(b)(6), said action  
17 should be stricken from the record and accused immediately  
18 released from custody.

19 Notice to agent is notice to principal; notice to  
20 principal is notice to agent.

21 I, Randall Due, exercise the right to amend this and/or  
22 any other document, if necessary, in order that the truth may  
23 be more fully and certainly ascertained and justly determined.

24 I want that filed and so, Marshal --

25 THE COURT: Marshal --

1 THE DEFENDANT: -- would you --

2 THE COURT: -- would you --

3 THE DEFENDANT: -- present it up there for filing.

4 THE COURT: -- provide that to the clerk, please.

5 And if you will staple that and it will be a separate  
6 filing.

7 THE DEFENDANT: I have...

8 And then I have more documents to enter in. I have a  
9 distress replevin dated the 15th of August. Judicial fraud,  
10 denial of due process of law, violation of civil rights.  
11 Replevin demand to show just cause and it happened to be  
12 addressed to you, Mr. Thalken.

13 I, affiant Randall David Due, Public Minister, acting in  
14 my own proper person, certify under my own commercial liability  
15 that the following is true, correct, materially complete and  
16 not misleading to the best of my knowledge and belief.

17 Allegation claims, affidavit of material facts:

18 Number one. Judge Thalken has refused and failed to  
19 immediately contest my affidavits sent to him on July the 2nd,  
20 2013, by certified mail stating that I signed the condition of  
21 release under his coercion and duress, against my person which  
22 was that if I refused to sign that I would probably remain in  
23 jail. See Exhibit A.

24 Number two. Judge Thalken has refused and failed to  
25 immediately show specific just cause of finding of facts and

1 conclusions of law proving beyond a reasonable shadow of a  
2 doubt that his requiring me to sign his condition of release  
3 which directly violates my natural rights and civil rights was  
4 not done under coercion and duress.

5 The direct violation of my natural rights and civil rights  
6 to which I am referring to are:

7 A, First Amendment right of freedom of religion. By  
8 violating my freedom of communication, speech and press.  
9 Hebrews 13:1c [sic], but to do good, and to communicate forget  
10 not, for with such sacrifices God is well-pleased.

11 B, First Amendment right of freedom of speech. By denying  
12 me spoken communication with my clients who I have been granted  
13 contract by power of attorney.

14 C, First Amendment right of freedom of press. By denying  
15 me written communication with my clients who I have been -- by  
16 contract been given power of attorney.

17 D, First Amendment right of freedom peaceably to assemble.  
18 To petition the government for redress of grievances.

19 E, My right of freedom from having in effect soldiers,  
20 pretrial service person, quartered in my house without my  
21 consent.

22 F, Violation of my right to contract with my clients  
23 and/or any other party, including with public officials,  
24 officers and agents of the government, by their oath/consensual  
25 contract and trustees and servants to all state and natural

1 citizens for their faithful performance of duties and  
2 responsibilities to We the People/The Public of the public  
3 trust at USA.

4 Number three. Judge Thalken has failed to show specific  
5 just cause that I did not, in fact, reserve and protect all of  
6 my natural rights and civil rights by undersigning my signature  
7 with UCC 1-308; therefore, commercial contract law has exposed  
8 a fraud and voided the conditions of the condition of release  
9 contract with the effect of fully protecting and preserving all  
10 of my natural rights and civil rights as secured by the  
11 Constitution for the United States of America and the laws  
12 pursuant thereto.

13 The Constitution is the supreme law of the land and all  
14 judges are bound thereby. That's Article VI, paragraph 2 of  
15 the Constitution.

16 Number four. Judge Thalken's refusal and failure to  
17 answer or contest within the time stated my aforesaid affidavit  
18 for demand to show specific just cause has caused Judge Thalken  
19 to default on this citizens' First Amendment administrative  
20 process. Thereby, Judge Thalken has agreed by default to all  
21 of the aforesaid allegations, claims in the affidavit.  
22 Specifically that I signed his condition of release under his  
23 coercion and duress, a fraud of process which voids the  
24 contract.

25 Number five. Plaintiff ex rel. parties have failed to



1 show specific just cause how their allegations, claims are not  
2 fraud of process because the foundational condition of release  
3 was obtained by coercion and duress, a fraud which voids all  
4 contracts.

5 Remedy and relief, a distress replevin, bond by criminal  
6 complaints and public consensual commercial liens.

7 Number one. Plaintiff ex rel. parties must immediately  
8 answer all affidavits which have been presented to the  
9 plaintiffs ex rel. parties by all defendants in Case No.  
10 8:12CR344 and subordinate Case No. 8:13CV122 categorically  
11 point by point, sworn to be true, correct, materially complete  
12 and not misleading under their own commercial liability and  
13 show specific just cause of findings of facts and conclusions  
14 of law to support their allegations, claims categorically point  
15 by point sworn to be true, correct, materially complete and not  
16 misleading under their own commercial liability.

17 Number two. Plaintiff ex rel. parties must immediately  
18 provide full disclosure of proper identification by providing a  
19 certified copy of their required oath to support and defend  
20 this nation and its Constitution against all enemies, foreign  
21 and domestic.

22 Number three. And provide full disclosure of their  
23 bonding and/or public official liability insurance information  
24 which states the names, policy numbers, address, agent's  
25 contact information so that their commercial liability can be

1 verified.

2 Number four. I, Randall Due, demand that the plaintiff ex  
3 rel. parties' allegations and claims of violation of condition  
4 of release to be dismissed with prejudice, that is, with  
5 finality.

6 Number five. I demand to be immediately released and  
7 returned to my home at the expense of plaintiff ex rel.  
8 parties.

9 Number six. I demand immediate compensation for cited  
10 civil rights violations by or from plaintiff ex rel. parties.

11 Number seven. I demand plaintiff ex rel. parties pay all  
12 court costs and other costs arising from this matter.

13 Surety of judicial bonds, public official bonds, bar  
14 association financial fund account and public official  
15 liability insurance.

16 Exhibits of facts and law, Constitution for the United  
17 States of America, 18 U.S.C. Section 2, 3, 4, 241, 242, 1001,  
18 1341, 1621, 1622, 2071, 2381, 2382 and 2383, also 28 U.S.C.  
19 Section 455 and Nebraska Statute 24-739. A notice to agent is  
20 notice to principal; notice to principal is notice to agent.

21 Affiant exercised the right to amend this and/or any other  
22 document, if necessary, in order that the truth be more fully  
23 and certainly and justly ascertained.

24 Affiant Randall David Due in the flesh and blood, in  
25 proper person does not consent to be an accessory party to

1 fraud. That's 18 U.S.C. Section 2, 3 and 4 and/or violation of  
2 my certain unalienable rights endowed by my Creator and secured  
3 by the Constitution, the Bill of Rights and by our soldiers who  
4 swear an oath to defend this nation and its Constitution  
5 against all enemies, foreign and domestic.

6 Furthermore, I reserve all of my rights using the UCC  
7 1-308, which is performance or acceptance under reservation of  
8 rights, in relationship to any past and/or future action  
9 concerning this case. Notice is hereby given. Fraud vitiates  
10 all contracts and is grounds for reversal of all legal faults.

11 I, affiant Randall David Due, Public Minister, acting in  
12 my own proper person, certify under my own commercial liability  
13 that I have read the foregoing instrument and know the content  
14 thereof and that to the best of my knowledge and belief, the  
15 foregoing is true, correct, materially complete and not  
16 misleading.

17 Now, a reference to -- or, number one, it said see Exhibit  
18 Z, for if thou can refuse to contest my affidavit. Exhibit A  
19 happens to be on July the 2nd you were provided with a judicial  
20 fraud, denial of due process law, violation of civil rights,  
21 demand of replevin, demand to show just cause. You failed to  
22 answer.

23 Precertification. I, Randall David Due, Public Minister,  
24 acting in my own proper person, certify under my own commercial  
25 liability that the following is true, correct, materially

1 complete and not misleading to the best of my knowledge and  
2 belief.

3 Allegations and claim, affidavit of material facts,  
4 coercion and duress.

5 Number one. On April the 10th, 2013, you, Judge T.  
6 Thalken, engaged in a fraud of process by requiring me, Randall  
7 David Due, to sign under coercion and duress a condition of  
8 release contract which imposed upon me is a violation of my  
9 constitutionally guaranteed natural and civil rights.

10 Number two. I, Randall David Due, asked you, Mr. Thalken,  
11 approximately, if I signed the condition of release, would this  
12 mean that I would be allowed to go back to Georgia and receive  
13 all of the medical treatment which I need and which is being  
14 denied me in jail. You, Mr. Thalken, replied yes.

15 Number three. Then I asked you, Mr. Thalken,  
16 approximately, if I refuse to sign the condition of release,  
17 would this cause me to remain in jail? You, Mr. Thalken,  
18 replied something to the effect that probably I would remain in  
19 jail.

20 Domicile and community. I have had and have an  
21 established home and family domiciled in the same place and  
22 address for 26 years.

23 Number five. I have never been convicted of any crimes.  
24 My children have never been convicted of any crimes.

25 Number six. No court officers have provide -- proven by

1 affidavits sworn to be true, correct, materially complete and  
2 not misleading under their own commercial liability that I,  
3 Randall David Due, am a threat to any person in the community  
4 or a danger to the community. This is a direct violation of  
5 Article IV, Section 1 of the Constitution of the United States.

6 No flight risk, number seven. I am not a flight risk and  
7 there is no reason to believe that I would be a flight risk.

8 My life's work stands as proof for all to witness that I  
9 do not walk away from problems. I am recognized as a Public  
10 Minister because I walk or run toward problems with the intent  
11 to solve them just as this affidavit proves.

12 Number eight. I, Randall Due, have acted as a Public  
13 Minister for many years as a civil rights advocate helping my  
14 fellow countrymen in various ways with free information and  
15 assisting them to protect their civil rights as secured by the  
16 Constitution for the United States of America. This is  
17 patently evident by doing a web search of my name Randall Dave  
18 Due, a/k/a Randy Due, as well as my web handle Duze and  
19 Moreless (phonetic).

20 Number nine. I have been very open in my actions of  
21 helping my fellow countrymen to protect their constitutionally  
22 protected civil rights. All that any public official needs to  
23 do to locate me is to call me at my home phone number or come  
24 to my house address which I have posted all over the Internet  
25 along with my legal and political postings.

1           Number ten. I feel and believe that the conditions of  
2           release contract restricting my freedom of communication and  
3           association with other people is a direct violation of my  
4           rights under the First Amendment to the Constitution for the  
5           United States of America, the due process of law and of my  
6           civil rights and criminal and -- civil and criminal  
7           responsibilities under 42 U.S.C. 1986, 18 U.S.C. Section 4, 18  
8           U.S.C. Section 241 and 18 U.S.C. Section 242. Especially in  
9           the case of those who have requested or demanded my help and  
10          who have granted me a power of attorney to assist them as a  
11          Public Minister civil rights advocate in protecting their civil  
12          rights and/or anyone else who needs my help in guaranteeing the  
13          constitutional protection of their civil rights.

14          Number 11. Requiring me to report to a pretrial service  
15          officer and complying with their directives when there is no  
16          lawful or personal history grounds for it is disrespectful,  
17          personal insult and a violation of my civil rights, pacifically  
18          [sic] the violation of my Third Amendment rights against  
19          quartering soldiers in my house without my consent.

20          The assault, 12. The Fourth Amendment states that  
21          government officers cannot violate my person, houses, papers  
22          and effects without a sworn affidavit.

23          No. 13. The FBI agents and their accessory law  
24          enforcement accomplices had absolutely no jurisdiction or  
25          grounds to use a trick and ruse to get me outside of my house

1 except to exercise excessive force by assaulting, tasing and  
2 kidnapping me as the prosecuting attorney has already admitted  
3 on the public court record was done to me.

4 Number 14. The judges, court officers, FBI agents and  
5 their accessory law enforcement accomplices have been and are  
6 being brutal toward me because I have found a way to hold them  
7 publicly accountable for their criminal behavior toward my  
8 fellow countrymen, the public.

9 Number 15. Picture this, what can happen to one can  
10 happen to all. If they can capriciously descend upon me and  
11 violate my civil rights as secured by the Constitution for the  
12 United States of America and laws pursuant thereto, what is to  
13 stop them from doing the same thing to you, the reader?

14 Portraying Randall David Due as a criminal, number 16.  
15 The FBI and accessory law enforcement accomplices have  
16 portrayed me as a criminal. That portrayal of me has been both  
17 libel and slander. They have disrespected my responsible  
18 constitutional services as a Public Minister provided pursuant  
19 to 42 U.S.C. Section 1986 and 18 U.S.C. Section 4, 241 and 242  
20 because it holds public officials accountable for their  
21 criminal behavior.

22 Criminal law 18 U.S.C. Section 4 mandates that I report  
23 that criminal behavior to some judge or other person in civil  
24 or military authority.

25 Number 17. I do not feel or believe that any of the

1 people that I associate with or communication with have filed  
2 any false liens or spurious civil actions against judges or law  
3 enforcement officials and, furthermore, I do not know of any  
4 judges or law enforcement officials who have proven that anyone  
5 has filed false liens or spurious civil actions against them.

6 But even more important, as a Public Minister, I asked  
7 shall attorneys and lawyers be portrayed as criminals just  
8 because their clients are criminals?

9 Shall a doctor only associate with people who are well?  
10 Before you charge someone else, consider your own associations.

11 That is why an indictment is called a libel in Scot's law.  
12 See *Black's Law Dictionary*, 4th edition, revised edition page  
13 1060. Liable -- third paragraph, liable of two kinds in Scot  
14 law. Namely, indictments and criminal letters.

15 Indictments and criminal letters presented by a government  
16 official must be bonded to protect the public from the awesome  
17 power of the government, especially when its officers are  
18 corrupt and self-serving or serving a superior malevolent  
19 political structure.

20 Political immunity of Public Minister, 18. Article 1,  
21 Section 6 of the Constitution for the United States of America,  
22 states the senators and representatives, da, da, da, shall in  
23 all cases except treason, felony and breach of peace be  
24 privileged from arrest during their attendance at the session  
25 of the respective houses and in going to and returning from the



1 same and for speech or debate in either house. They shall not  
2 be questioned in other place -- in any other place.

3 Nineteen. Because of my long-term dedicated work as a  
4 Public Minister civil rights advocate, I have earned and am  
5 granted thereby and have political immunity from violation of  
6 my political rights. In other words, my actions as a Public  
7 Minister civil rights advocate must be respected. If it is not  
8 true that functioning as a Public Minister civil rights  
9 advocate has given me political immunity from violation of my  
10 political rights, then each and every active Congressman can be  
11 tasered, thrown to the ground and kidnapped by the FBI and/or  
12 any other law enforcement officials when they see fit to do so  
13 as it was done to me. For what can happen to one can happen to  
14 all.

15 Number 20. I am fully aware of the fact that I am being  
16 politically prosecuted and persecuted because that is the  
17 retaliation and unlawful penalty for exposing the corruption of  
18 public officials in the government as I am mandated to do by 18  
19 U.S.C. Section 4. You can contact any person that I have  
20 worked with or worked for if you need a witness to the criminal  
21 behavior of public officials.

22 Conclude, number 21. Denying my right to contract and/or  
23 serve paper processes on any public officials whom I feel or  
24 believe has violated my and/or any citizen's civil rights is a  
25 violation of my First Amendment rights to petition and of due

1 process of law. This is especially true when they deny me the  
2 right to present a process to the U.S. Marshals who seem to be  
3 the only remaining decent and honorable law enforcement  
4 officers in the United States justice system.

5 Twenty-two. The ruling by any judge and/or other court  
6 officer that criminal complaints, 18 U.S.C. Section 4, filed in  
7 the United States courts against public officials pursuant to  
8 criminal law 18 U.S.C. Section 4, 241 and 242 are civil  
9 actions, Title 28 civil, is a judicial act of forgery, fraud  
10 and falsification of documents and other legal processes under  
11 color of law. Constitution Article IV, Section 1, amendment 5  
12 and 14; 18 U.S.C. Section 3, 4, 241, 242, 1341, 1621, 1623,  
13 1001, 2071, 2381 and 2383.

14 Number 23. I feel and believe that the order setting  
15 conditions of release contract restricting me from entering any  
16 courthouse and/or filing any documents or actions which I deem  
17 necessary to my self-defense and the protection of my and/or my  
18 fellow countrymen's civil rights is a violation of my First  
19 Amendment right peaceably to assemble and to petition the  
20 government for a redress of grievances and constitutional  
21 violation of the due process of law and a violation of my civil  
22 rights, First, Fifth, Ninth and Fourteenth Amendment  
23 violations.

24 Twenty-four. I know that I signed the condition of  
25 release under coercion of duress in order to be able to have

1 necessary medical and dental surgery to save my life and I know  
2 that I have a positive legal and lawful commercial claim  
3 against all public officials and accessory accomplices  
4 whichever imposed this coercion and duress upon me. It's money  
5 in the bank of justice.

6 Twenty-five. On April the 10th, 2013, I, Randall Due,  
7 undersigned my signature on the aforesaid condition of release  
8 with the citation of UCC 1-308, thus reserving all my God-given  
9 and civil rights as secured by the Constitution for the United  
10 States of America and the laws pursuant thereto therefore  
11 making void the condition of release fraud which you,  
12 Mr. Thalken, attempted to impose upon me by coercion and duress  
13 as a retaliatory action against me for my actions of reporting  
14 the judicial fraud as I am mandated to do so by 18 U.S.C.  
15 Section 4.

16 Number 26. Fraud vitiates all contracts.

17 Remedy and relief, replevin, demand to show just cause,  
18 number 27. I, Randall David Due, demand you, Mr. Thalken, to  
19 properly identify yourself by providing a certified copy of  
20 your oath to support and defend the Constitution for the United  
21 States of America against all enemies, both foreign and  
22 domestic, as well as provide your bonding and/or public  
23 official liability insurance to guarantee your commercial  
24 liability in the case. You failed to do that.

25 Number 28. I demand you, Mr. Thalken, to order all court

1 actors involved and/or associated in any way with this Case No.  
2 8:12CR344 to likewise properly identify themselves. You failed  
3 to do that also.

4 Twenty-nine. I demand that all future communication by  
5 you, Mr. Thalken, and/or any other court actors involved in  
6 aforesaid cases must be in writing by affidavits sworn to be  
7 true, correct, complete and not misleading under your  
8 commercial liability. This is because of your, Mr. Thalken,  
9 the United States of America ex rel. officials and officers of  
10 this public trust, plaintiffs with commercial liability saddled  
11 with the burden of proof, deceptive court rules, regulations  
12 and patently evident refusal to provide full faith and credit  
13 and full disclosure as required by Article IV, Section 1 and  
14 the Fifth and Fourteenth Amendments for the Constitution for  
15 the United States of America.

16 Number 30. Anything less on your, Mr. Thalken, the United  
17 States of America ex rel. officials and officers of this public  
18 trust, plaintiffs with commercial liability saddled with the  
19 burden of proof, part shall be construed as patent evasion of  
20 due process of law or fraud and a violation of my civil rights  
21 as secured by the Constitution for the United States of America  
22 and the laws pursuant thereto as pursuant to the Constitution,  
23 Article IV, Section 1 and also amendment 5, 14, and 18 U.S.C.  
24 Section 3, 4, 241, 242, 1341, 1621, 1623, 1001, 2071, 2381 and  
25 2383.

1           Thirty-one. Should you, Mr. Thalken, disagree with or  
2           contest any part of this affidavit, you must immediately show  
3           specific just cause of finding of facts and conclusions of  
4           natural law, commercial law, constitutional laws, civil rights  
5           laws and supporting criminal laws point by point by affidavit  
6           sworn to be true, correct, complete and not misleading under  
7           your own commercial liability to support your contesting of  
8           this affidavit and your refusal to provide me my demands of my  
9           right to the aforesaid elements of due process of law.

10           Number 32. Failure or refusal to immediately contest this  
11           affidavit as aforesaid demanded shall be construed to mean and  
12           patent evidence that you are in total agreement categorically  
13           with all points of this affidavit and that you, Mr. Thalken,  
14           are not acting impartially as required by Nebraska Statute  
15           24-739 and 28 U.S.C. Section 455.

16           Therefore, I reasonably question your impartiality in this  
17           case. Therefore, I demand that you, Mr. Thalken, immediately  
18           recuse yourself from this and all other related cases and void  
19           all of your orders and judgments involving this Case No.  
20           8:12CR344 because of your aforesaid impartiality and fraud.

21           Number four [sic], surety, judicial bonds, public  
22           officials bonds, bar association financial account and public  
23           official liability insurance. Exhibits of facts and law.  
24           Constitution for the United States of America, 18 U.S.C.  
25           Section 2, 3, 4, 241, 242, 1001, 1341, 1621, 1622, 2071, 2381,

1 2382 and 2383 and also 28 U.S.C. Section 455 and Nebraska  
2 Statute 24-739.

3 Nebraska Statute 72439 [sic] says disqualification of  
4 judge and grounds. A judge shall be disqualified from acting  
5 as such in the county court, district court, Court of Appeals  
6 or Supreme Court except by mutual consent of the parties which  
7 mutual consent is in writing and made part of the record in the  
8 following situations:

9 Number one. In any case in which, a, he or she is a party  
10 or interested, judgment is void and judge is disqualified.

11 We'll go to Title 28, U.S.C., Section 455,  
12 disqualification of justice, judge or magistrate judge. A, any  
13 justice, judge or magistrate judge of the United States shall  
14 disqualify himself in any proceeding in which his impartiality  
15 might reasonably be questioned. It doesn't say anything about  
16 whether the judge questions it or not. It doesn't say anything  
17 about it's not the defendant. In other words, it directly  
18 implies that if the defendant has reason to believe that your  
19 impartiality's being questioned.

20 He shall also disqualify himself in the following  
21 circumstances: He knows that he has individually or as a  
22 fiduciary or a spouse or minor child residing in his household  
23 has a financial interest in the subject matter in controversy  
24 or in a party to the proceeding or in other interests that  
25 would substantially affect the outcome of the proceeding.

1 Notice to agent is notice to principal; notice to  
2 principal's notice to agent.

3 Affiant exercised the right to amend this or any other  
4 document, if necessary, in order that the truth be more fully  
5 and certainly ascertained and justly determined.

6 Affiant Randall David Due in the flesh and blood, in the  
7 proper person do not consent to be an accessory party to fraud  
8 and/or violation of my certain unalienable rights endowed by my  
9 Creator and secured by the Constitution, the Bill of Rights and  
10 by our soldiers who swear an oath to defend this nation and its  
11 Constitution against all enemies, foreign and domestic.

12 Furthermore, I reserve all of my rights using the UCC  
13 1-308 performance or acceptance under reservation of rights in  
14 relationship to any past and/or future action concerning this  
15 case.

16 Notice is hereby given. Fraud vitiates all contracts and  
17 is grounds for reversal of all legal faults.

18 I want this entered into the record.

19 THE COURT: The marshal may provide it to the clerk.

20 THE DEFENDANT: And now I have this document that I  
21 want filed in the -- not in this case. This is to be filed in  
22 the court and I want it stamped as received. This is a  
23 criminal complaint against you, Mr. Thalken, and Troy Greve and  
24 it's according to these laws, Title 18, 4. I have the right --  
25 whoever having knowledge of the actual commission of a felony

1       cognizable by a court of the United States conceals and does  
2       not as soon as possible make known the same to some judge or  
3       other person in civil or military authority under the United  
4       States shall be fined under this title or imprisoned not more  
5       than three years or both.

6               THE COURT: All right.

7               THE DEFENDANT: Civil Rights Act --

8               THE COURT: Mr. Due --

9               THE DEFENDANT: -- of 18 --

10              THE COURT: Mr. Due, if those are the documents,  
11       please provide them to the marshal and we will see --

12              THE DEFENDANT: Okay.

13              THE COURT: -- that they're appropriately filed.

14              THE DEFENDANT: I want that entered in. Not in this  
15       case. That's to be file stamped and I want copies of it,  
16       verification that it's been filed.

17              And I want -- this is a document. This was a demand that  
18       you were process served. It's the second notice. Demand for  
19       Certified Copies of Required Constitutional Oaths and Bonding.  
20       Go ahead and enter that into this court record.

21              THE COURT: The marshal may provide it to the clerk.

22              THE DEFENDANT: And here's one for Troy Greve and  
23       here's one for Scott Howell.

24              THE COURT: The marshal will provide it to the clerk.

25              THE DEFENDANT: And here's a document that I want



1 included in this court case. It's a Notice of Existence of a  
2 First Amendment Administrative Commercial Lien right of the  
3 United States of America. A consensual public commercial lien  
4 is a commercial lien against --

5 THE COURT: If that's just a document, we'll have it  
6 provided to the marshal and it'll be provided to the clerk.

7 THE DEFENDANT: Okay.

8 THE COURT: We don't need to read it.

9 THE DEFENDANT: That's to be entered in.

10 THE COURT: Make those a separate -- be sure those  
11 are --

12 THE DEFENDANT: And here's another document to be  
13 entered into this court record. It's a fax cover letter,  
14 Citizen's Declaration of Independence, six pages long.

15 THE COURT: Very well. The marshal will now provide  
16 it to the clerk.

17 THE DEFENDANT: Here's a document called a  
18 Constructive Notice. It's ten pages long. I want it entered  
19 into the records.

20 THE COURT: The marshal may provide it to the clerk.

21 THE DEFENDANT: And here's a document, Affidavit of  
22 Distress Right, warning notice applies to all public officials  
23 and officials of the law, especially to judges. Four pages  
24 long.

25 THE COURT: The marshal may --

1 THE DEFENDANT: Entered into the records.

2 THE COURT: The marshal may provide it to the clerk.

3 THE DEFENDANT: And then I have a one-page document  
4 here. It's an e-mail between Mr. Hug and me where that -- the  
5 whole subject matter on this -- this supposed thing. What this  
6 is is a -- is the material Troy Greve is claiming I filed  
7 subject to the jurisdiction of the United States or is it  
8 subject to the jurisdiction of the State of Nebraska?

9 Title 18, U.S.C., Section 7 and Title 18, U.S.C., Section  
10 13 state that the United States officers and the United States  
11 agents must honor Nebraska state rights and Nebraska  
12 Constitution and Nebraska laws pursuant thereto.

13 Number three. In other words, the United States  
14 Government does not have the right --

15 THE COURT: Mr. --

16 THE DEFENDANT: -- to provide or violate --

17 THE COURT: Mr. --

18 THE DEFENDANT: I will finish this.

19 THE COURT: Mr. Due --

20 THE DEFENDANT: -- or violate --

21 THE COURT: Mr. Due, you can provide that to the  
22 marshal and the marshal will provide it to the clerk.

23 THE DEFENDANT: Okay. And then I have another  
24 e-mail --

25 THE COURT: You can provide that one --

1 THE DEFENDANT: -- concerning --

2 THE COURT: You can provide that one to the marshal  
3 so --

4 THE DEFENDANT: -- wire fraud to Mr. Hug.

5 And then I have a document that was faxed to Scott Howell  
6 on the 15th of May demanding him to -- failure to immediately  
7 respond to a sworn affidavit's requested shall be construed  
8 that you have granted my request to file documents and actions  
9 to defend myself and my fellow countrymen as mandated. He  
10 never responded.

11 THE COURT: Provide it to the marshal and he can  
12 provide it to the clerk.

13 THE DEFENDANT: And here's an e-mail that was on May  
14 the 16th between Mr. Hug. He had quit communicating to me and  
15 I said: Your refusal to faithfully and diligently request full  
16 disclosure --

17 THE COURT: Mr. Due, you can provide that to the  
18 marshal but it's sort of past the point now because Mr. Hug has  
19 been relieved as standby counsel.

20 THE DEFENDANT: Yeah, but this is all valid  
21 information.

22 Here's a fax cover letter to the district -- Middle  
23 District of Georgia, it was dated on May the 27th, identifying  
24 what was sent to Scott Howell and he refused to put it into the  
25 records and failure to provide full disclosure.

1 THE COURT: It may be provided to the clerk.

2 THE DEFENDANT: And for the record Article VI of the  
3 Constitution of the United States states: This Constitution  
4 and the laws of the United States of America which shall be  
5 made and pursuant thereof and all treaties made and are --  
6 which shall be made under the authority of the United States  
7 shall be the supreme law of the land.

8 THE COURT: You can --

9 THE DEFENDANT: And the judges in every state shall  
10 be bound thereby and anything in the Constitution or the laws  
11 of the state to the contrary notwithstanding.

12 THE COURT: Do you wish to provide that to the Court  
13 or do you wish -- all right. It may be provided to the clerk.

14 THE DEFENDANT: And may I remind you of your Judicial  
15 Code of Conduct, Canon number 1 says: The judge shall --

16 THE COURT: You can provide that --

17 THE DEFENDANT: -- uphold --

18 THE COURT: You can --

19 THE DEFENDANT: No, I'm going to read this.

20 THE COURT: Mr. --

21 THE DEFENDANT: The judge shall uphold the  
22 integrity --

23 THE COURT: Mr. Due -- Mr. Due, you may provide it to  
24 the marshal who will provide it to the clerk. All right.

25 THE DEFENDANT: Are you going to honor your Judicial

1 Code of Conduct?

2 THE COURT: I will always honor the Judicial Code of  
3 Conduct. Now, give it to the mar- --

4 THE DEFENDANT: It says you'll respect and comply  
5 with the law.

6 THE COURT: Give it to the marshal.

7 THE DEFENDANT: And here's a document -- three-page  
8 document to all judges. You mind if I get it and put it in the  
9 record too?

10 THE COURT: All right. You may provide it to the  
11 clerk.

12 THE DEFENDANT: And because I've been denied due  
13 process of law and continue to be and have not been fully  
14 informed, there's no way that I can knowingly make a decision  
15 about the subject matter that you're trying to can me on.

16 But for the official record, again, I demand that you  
17 recuse yourself because now pursuant to the criminal complaint,  
18 you have a direct financial interest so I demand pursuant to  
19 Title 18, 2 -- Title 28, Section 455 and also Nebraska Statute  
20 24-739 that you recuse yourself from this case.

21 THE COURT: All right. That request is denied.

22 Do you have anything further?

23 All right. I've given you an opportunity to respond to  
24 the request for revocation of pretrial release in this case.  
25 It is obvious that -- to the Court that the defendant in this

1 case will not follow the directions of Pretrial Services in  
2 this matter and as such I find the request for revocation of  
3 release should be granted. It is granted.

4 The defendant will be detained in the custody of the  
5 marshal pending disposition of this matter.

6 We will then -- Mr. Due, you can proceed to -- now that  
7 you are without standby counsel and you do not request the  
8 appointment of counsel or the appointment of standby counsel  
9 we're presently in the time for filing of pretrial motions in  
10 the matter and that period of time is -- What's our time  
11 limit, Mary Beth?

12 It's September 9th?

13 MR. BAILEY: It's the 16th, I believe, Your Honor.

14 THE COURT: September 16th?

15 All right. You have until September 16th to file any  
16 pretrial motions and otherwise then we'll proceed in the  
17 regular course of business.

18 Nothing further, everybody is excused. We will be in  
19 recess.

20 THE DEFENDANT: I demand you provide...

21 (Recess had at 2:19 p.m.)  
22  
23  
24  
25

I, Rogene S. Schroder, certify that the foregoing is a correct transcription to the best of my ability from the digital recording of the proceedings held in the above-entitled matter.

/s/Rogene S. Schroder  
Transcriber

September 3, 2013  
Date

# E X H I B I T S

## EXHIBITS:

Offered

Ruled  
On

2. Documents filed in Mitchell County,  
Georgia

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